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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 002344

SIPDIS

DRL FOR BUCKLEY

E.O. 12958: DECL: 08/01/2018

TAGS: [PHUM](#) [PGOV](#) [KPAO](#) [TH](#)

SUBJECT: FURTHER LESE MAJESTE ACCUSATIONS IN THAILAND  
UNDERLINE SENSITIVITY OF ROYAL DISCUSSION

REF: A. BANGKOK 01949 (LEADING UNIVERSITY)  
[1](#)B. BANGKOK 01662 (LESE MAJESTE ACCUSATIONS)

Classified By: Deputy Chief of Mission James F. Entwistle, reason 1.4 (b) and (d).

SUMMARY

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[1](#)1. (C) Three high-profile political activists, including two co-leaders of the People's Alliance for Democracy (PAD), have been recently charged with lese majeste. The two PAD figures were not detained; the third, an anti-PAD activist, was arrested for making strikingly blunt comments against the monarchy, and the police obtained Court approval to detain her for 12 days while investigating her case. Political allegations appear to be motivating these latest allegations. The new charges reflect the tendency of both sides in the polarized environment to use lese majeste provisions against their opponents. Activist Chotisak Onsoong, already charged with lese majeste for refusing to stand for the royal anthem, expressed concerns about his safety to us; a law firm recently ended its assistance to one of Chotisak's co-defendants, telling us lese majeste cases were too "sensitive." End Summary.

KEY POLITICAL ACTIVISTS CHARGED: DARANEE, SONDHI, SOMKIAT  
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[1](#)2. (C) On July 22, the Metropolitan police arrested and imprisoned without bail activist Daranee Charnchoengsilpakul, who is also known as 'Da Torpedo' for her high-octane speeches critical of the People's Alliance for Democracy (PAD). The lese majeste charges against Daranee stem from speeches at anti-PAD rallies on July 18 and 19, in which she implied that King Bhumibol was involved in the unusual death of his brother, King Ananda Mahidol; urged Thailand to follow the example of Nepal in abolishing the monarchy; and suggested that the aging King relied on Privy Council President Prem Tinsulanonda to make his decisions.

[1](#)3. (C) The media reported police officials refused bail for Daranee out of concern for her safety, stating that her remarks could prompt violent attacks by the public. The police also added that, unlike some others charged with lese majeste, she did not turn herself in voluntarily. The police announced Daranee will be detained for 12 days while they investigate her case. (The police can normally detain

suspects under arrest for up to 48 hours during the preliminary investigation; in Daranee's case, the police received an extension from the court to detain her for 12 days.)

14. (C) Press reports have claimed Daranee is a leading member of the United Front of Democracy Against Dictatorship (UDD), a pro-Thaksin group that has clashed with PAD and also organized a violent demonstration in July 2007 in front of the residence of Privy Council President Prem. Daranee's affiliation with UDD remains unclear; she has at times led rallies collocated with UDD's, but both UDD and PAD figures told us she has no formal affiliation with UDD. UDD supporter Charan Ditthaphichai told Poloff Daranee's offensive language and constant "bashing of the monarchy" were bound to get her into trouble.

15. (C) PAD leader and Manager Media owner Sondhi Limthongkul was charged with lese majeste on July 23 when he recirculated Daranee's remarks at a PAD rally and via his online media outlet. Sondhi expressed anger that the police moved so quickly to investigate the charges against him, noting their slower pace on the investigation into lese majeste charges against former Minister Attached to the Prime Minister's Office Jakrapob Penkair. After responding to the charges by reporting to the police, Sondhi was released the same day on bail. His case is pending further investigation.

16. (C) Meanwhile, Democrat Party legislator and core PAD leader Somkiat Pongpaiboon was also charged on July 16 with lese majeste for erroneously referring during a PAD rally to

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a school built under the patronage of King Bhumibol as one built with the support of Cambodian PM Hun Sen. The Deputy Spokesman of the People's Power Party (PPP) filed the charges against Somkiat, and the Criminal Court immediately approved the police's request to issue a warrant for his arrest. Somkiat reported voluntarily to the police station on the same day and used his position as Democratic Member of Parliament to secure his release without payment of bail. Somkiat told Poloff that his remarks stemmed from the school's attempts to stifle a PAD rally and were meant to reflect that the school was pro-Thaksin, and therefore, by association, pro-Hun Sen.

17. (C) PAD spokesman Suriyasai Katasila criticized police officials for their brash investigation of Somkiat and accused them of political bias. Suriyasai noted that the police have been much slower in pursuing lese majeste charges filed by PAD members against associates of former Prime Minister Thaksin. However, the police have pointed publicly to the arrest of Daranee as proof that they did not unfairly target PAD leaders. Somkiat told us that the police wanted to prove that they were loyal to the palace and thus were very efficient in pursuing his case. Somkiat has been involved in various legal actions; in total, he faces eight criminal charges and one civil lawsuit, including this most recent charge of lese majeste.

ACCUSATIONS AMOUNT TO TIT-FOR-TAT

18. (C) Activist and UDD supporter Charan Ditthaphichai blamed the new round of lese majeste charges on PAD's initial use of the law three years ago, when Sondhi sought to portray himself and his anti-Thaksin allies as defenders of the King. PAD co-leader Somkiat agreed with Charan's view, saying that lese majeste provisions were being used by both sides in the current polarized political environment, and a cycle of lese majeste charges and retaliation had begun. Referring to the recent lese majeste charges against Sondhi, Somkiat told Poloff: "it's a tactic, a matter of fighting, and what they use, we will use."

CRITICISM OF THE MONARCHY ON RADIO, WEB

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¶9. (C) UDD activist Charan, a former communist who has expressed his distaste for monarchies in a controversial book on the French revolution, told us he was surprised by what he perceived as an increasingly open expression of anti-monarchy sentiment, such as Daranee's. He said "many Thais are like her now... online, in coffee shops, and on community radio." The King, he said, is being heavily criticized in public, by the public, for the first time in modern history. He claimed to have heard many community radio programs in which people phoned in to complain that the monarchy had supported past coups, and many callers viewed the monarchy as an obstacle to democracy in Thailand. PAD co-leader Somkiat also told us he had noticed a proliferation of anti-monarchy websites, starting in 2005, and he also referred to the widespread availability of video discs that show the Crown Prince's Royal Consort, Srirasmi, semi-nude.

¶10. (C) We discussed Thai sentiment toward the monarchy with Chulalongkorn University professor of history Suttachai Yimprasoet. Suttachai himself was recently accused by PAD co-leader Sondhi Limthongkul of running an anti-monarchy website. Although Suttachai told us Sondhi was unable to produce any evidence linking him to the website in question, the accusation made Suttachai more cautious about how he referred to the monarchy during his classroom lectures. Suttachai emphasized that, despite Charan's claims of criticism of the monarchy on community radio and websites, discussion of the royal family remains highly sensitive.

#### REPORTS OF VIOLENCE SCARE ACTIVIST

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¶11. (C) Following media reports of a PAD fatality during a political demonstration in Udorn Thani (septel), activist

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Chotisak Onsoong contacted us on July 25, expressing fear for his safety. He and his girlfriend, Songkran Pongbunjan (protect), who currently face lese majeste charges, worried that the recent clashes between UDD and PAD supporters could intensify. Chotisak felt at risk, given that the PAD had been publicly hostile toward him after he was charged with lese majeste for refusing to stand when the royal anthem was playing in a movie theater. He said that he no longer used the Bangkok subway, sky train or air conditioned buses, since he believed those to be frequented by "middle-class PAD supporters." He instead used regular buses or taxis. His fears were further elevated after someone recognized him at a restaurant near Thammasat University, resulting in a heated confrontation.

¶12. (C) Songkran, Chotisak's co-defendant in their lese majeste case, had been receiving pro bono assistance from a lawyer employed by Legal Work Co., a Bangkok-based private law firm. Kitcha Ali-Ishoh, Managing Director of the firm, recently told Poloff that he had directed the lawyer to stop working on Songkran's behalf, however. He said he considered lese majeste to be "too sensitive" and even more "dangerous" than high-profile cases involving alleged human rights violations committed by the security forces against southern insurgents.

¶13. (C) We asked PAD co-leader Somkiat about PAD's recent practice of publicizing the names and addresses of individuals labeled as anti-PAD or anti-monarchy, such as Chotisak, and urging PAD supporters to take action against them. Somkiat said that it was a way "to prove to people that we know who you are." He insisted, however, that PAD's efforts were principally directed against former Prime Minister Thaksin, not lower-level activists. He told us he doubted PAD supporters would become violent toward Chotisak or others like him.

COMMENT

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¶14. (C) Many Thais view the political environment as characterized by antagonism between the palace and the pro-Thaksin camp. Both sides are using lese majeste accusations against the other, and political figures make public reference to the monarchy at their own peril. So long as lese majeste provisions remain on the books and are easily applied, it will be extremely difficult to assess the depth of anti-monarchy sentiment in Thailand.

JOHN